



# **SAFEGUARDING POLICY**

## **Incorporating**

# **CHILD PROTECTION PROCEDURES**

**September 2023**

Date for Review: September 2024



## Statement of intent

Wath Victoria Primary School and the James Montgomery Academy Trust is committed to safeguarding and promoting the welfare, both physical and emotional, of every pupil both inside and outside of the school premises.


This policy sets out a clear and consistent framework for delivering this promise, in line with safeguarding legislation and statutory guidance.

It will be achieved by:





- Creating a culture of safer recruitment by adopting procedures that help deter, reject or identify people who might pose a risk to children.
- Teaching pupils on how to keep safe and to recognise behaviour that is unacceptable.
- Identifying and making provision for any pupil that has been subject to abuse, ensuring the child's wishes have been taken into account during the process.
- Ensuring that members of the Board of Trustees, Governors, the Headteacher and staff members understand their responsibilities under safeguarding legislation and statutory guidance, and are alert to the signs of child abuse and know to refer concerns to the Designated Safeguarding Lead (DSL).
- Ensuring that the Headteacher and any new staff members (including supply and agency staff) and volunteers are only appointed when all the appropriate checks have been satisfactorily completed.
- Identifying any local safeguarding issues which may impact each school in the Trust and making appropriate provision to ensure that these local factors do not pose a threat to children's safety and welfare

Our Safeguarding team consists of:

# Safeguarding



Mrs Kilner  
**Designated Safeguarding Lead**



Miss Booth   Miss Frame   Mrs Burgin   Mr Parker

**Deputy Designated Safeguarding Leads**

**One of these people will be on site at all times**

## 1. Definitions

The terms “children” and “child” refer to anyone under the age of 18.

For the purposes of this policy, “**safeguarding and protecting the welfare of children**” is defined as:

- Protecting pupils from maltreatment.
- Preventing the impairment of pupils’ mental and physical health or development.
- Ensuring that pupils grow up in circumstances consistent with the provision of safe and effective care.
- Taking action to enable all pupils to have the best outcomes.

For the purposes of this policy, the term “**harmful sexual behaviour**” includes, but is not limited to, to the following actions:

- Using sexually explicit words and phrases
- Inappropriate touching
- Sexual violence or threats
- Full penetrative sex with other children or adults

In accordance with the DfE’s Keeping Children Safe in Education and for the purposes of this policy, the term “**sexual harassment**” is used within this policy to describe any unwanted conduct of a sexual nature, both online or offline, which violates a child’s dignity and makes them feel intimidated, degraded or humiliated, and can create a hostile, sexualised or offensive environment.

For the purpose of this policy, the term “**sexual violence**” encompasses the definitions provided in the Sexual Offences Act 2003, including those pertaining to rape, assault by penetration and sexual assault.

## 2. Legal framework

This policy has consideration for, and is compliant with, the following legislation and statutory guidance:

### Legislation

- The Children Act 1989 and 2004
- The Education Act 2002 (sections 157 and 175)
- The Education (Health Standards) (England) Regulations 2003
- The Safeguarding Vulnerable Groups Act 2006
- School Staffing (England) Regulations 2009 (As amended)
- The Equality Act 2010
- Data Protection Act/GDPR Regulations 2018
- The Education (School Teachers’ Appraisal) (England) Regulations 2012 (as amended)
- The Children and Families Act 2014
- The Sexual Offences Act 2003
- Voyeurism Offence Act 2019
- Female Genital Mutilation Act 2003
- The Education (Pupil Registration) (England) Regulations 2006 (as amended)
- Counter Terrorism and Security Act 2015
- Domestic Abuse Act 2021

### Statutory guidance

- DfE (July 2018, updated December 2020) ‘Working together to safeguard children’
- DfE (2023) ‘Keeping children safe in education’
- DfE (2019) Relationships Education, Relationships and Sex Education (RSE) and Health Education

- DfE (2016) 'Disqualification under the Childcare Act 2006'
- DfE (2015) 'The Prevent duty'
- HM Government (2014) 'Multi-agency practice guidelines: Handling cases of Forced Marriage'

#### Non-statutory guidance

- DfE (2015) 'What to do if you're worried a child is being abused'
- DfE (2018) 'Information sharing'
- DfE (2017) 'Child sexual exploitation'
- DfE (2021) 'Sexual violence and sexual harassment between children in schools and colleges'
- DfE (2016) 'Children missing education'
- DfE (2018) 'Mental Health and Behaviour in Schools'
- DfE (2017) 'Preventing and Tackling Bullying in Schools'
- DfE (2019) 'Teaching Online Safety in Schools'

This policy has been written in conjunction with the JMAT's Child on Child Abuse Policy

### 3. Introduction

**The James Montgomery Academy Trust (thereafter referred to as JMAT)** and the Board of Trustees are clear about their responsibilities in relation to safeguarding and promoting the welfare of children. Safeguarding and promoting the welfare of children refers to the process of:

- protecting children from abuse or neglect
- preventing the impairment of their health or development, including mental health and wellbeing
- ensuring that children grow up in circumstances consistent with the provision of safe and effective and nurturing care
- undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

The JMAT fully recognises the contribution it can make to protect children from harm and supporting and promoting the welfare of all children who are registered pupils at our schools. This will also include identifying children who may benefit from **early help**. School staff are particularly important as they are in a position to identify concerns early in order for school to provide the '**right help at the right time**' to address risks and prevent issues escalating.

School staff form part of the wider safeguarding system for children. This system is described in statutory guidance Working Together to Safeguard Children 2018 (updated 2020). Schools should work with social care, the police, health services and other services to promote the welfare of children and protect them from harm.

The purpose of the JMAT's safeguarding policy is to ensure every child who is a registered pupil is safe and protected from harm. This policy will give clear direction to all staff (including governors, volunteers, supply teachers and agency staff), visitors and parents about expected behaviour and our legal responsibility to safeguard and promote the welfare of all children at our schools.

There are six main elements (focusing on prevention, protection and support) to our policy:

- Establishing a safe environment in which children can learn and develop
- Ensuring we practice safer recruitment in checking the suitability of staff and volunteers to work with children and create a culture of vigilance
- Raising awareness of and responding appropriately to safeguarding and child protection issues
- Equipping children with the skills needed to keep them safe, including how to recognise when they are at risk and how to get help when they need it

- Having clear procedures for identifying additional needs and reporting cases, or suspected cases, of abuse and allegations against teachers and other members of staff
- Supporting pupils who have been abused in accordance with a Child Protection Plan

#### 4. Our Ethos

JMAT schools are child-centred, inclusive and distinctive, delivering excellence in education, sharing best practice and building aspiration. The child's welfare is of paramount importance. The JMAT will establish and maintain an ethos in our schools where pupils feel secure, are encouraged to talk, are listened to and are safe. Children at our schools will be able to talk freely to any member of staff if they are worried or concerned about something.

The DSL will be available during school hours to discuss safeguarding concerns, if they are absent a Deputy DSL will be available.

All staff and regular visitors will, through training and induction, know how to recognise indicators of concern, how to respond to a disclosure from a child and how to record and report this information. We will not make promises to any child and we will not keep secrets. Every child will know what the adult will have to do with any information they have chosen to disclose.

Throughout our curriculum we will provide activities and opportunities for children to develop the skills they need to identify risks and stay safe. This will also be extended to include material that will encourage our children to develop essential life skills. Each school in the JMAT will provide a curriculum which is broad and balanced and is in line with Relationships Education, RSE and Health Education guidelines 2019. At the heart of these subjects is a focus on our key role in preventative education and keeping children safe. Subjects that are included in the primary curriculum and cross over into safeguarding are:

- Consent
- Choices
- CSE/CCE
- Unhealthy/abusive family relationships
- Internet/online safety

At all times we will work in partnership and endeavour to establish effective working relationships with parents, carers and colleagues from other agencies in line with Working Together to Safeguard Children (2018, updated December 2020).

It is the responsibility of **every** member of staff, volunteer and regular visitors to the schools in the JMAT to ensure that they carry out the requirements of this policy and, at all times, work in a way that will safeguard and promote the welfare of all pupils. This includes the responsibility to provide a safe environment in which children can learn.

Everyone who comes into contact with children and their families has a role to play in safeguarding children. We recognise that because of the day to day contact with children, school staff are well placed to observe the outward signs of abuse and that all staff and governors have a full and active part to play in protecting our pupils from harm.

The JMAT and its schools also recognises that when a child has a social worker, it is an indicator that the child is more at risk than most pupils. This may mean that they more vulnerable to further harm, as well as facing educational barriers to attendance, learning, behaviour and poor mental health.

**All staff are advised to maintain an attitude of 'it could happen here' where safeguarding is concerned.**

Each school will therefore:

- Ensure children know that there are adults in the school whom they can approach if they are worried.
- Ensure all adults working in school are provided with a copy of the relevant Code of Conduct, Safeguarding and Child Protection Policy and Keeping Children Safe in Education Part One on induction. Staff who do not work with children can read the shortened version of Part One- found on [www.gov.uk](http://www.gov.uk)
- Embed opportunities in the curriculum and school life for children to develop the skills they need to recognise and stay safe from abuse, including online abuse, Child Sexual and Criminal Exploitation, Radicalisation and Female Genital Mutilation. This is mainly through work with partner agencies such as Barnardos Reach Out service, NSPCC and other specific local authority initiatives.
- Ensure that staff are aware of the need to notify the LA in cases where children go missing from education, fail to attend school regularly, have been absent from school for continuous period of 10 days or more or are removed from the admissions register.
- Raise the awareness of all staff members of the need to safeguard and promote the welfare of children, and of their responsibilities in identifying and reporting possible cases of abuse.
- Ensure every member of staff (including temporary, supply and agency staff and volunteers) and the Board of Trustees knows the name of the Designated Safeguarding Lead (DSL) and their deputies responsible for child protection and their role (*Annex B of Keeping Children Safe in Education*)
- Ensure the names of the Designated Safeguarding Lead and their deputies will be clearly visible in the school, with a statement explaining the school's role in referring and monitoring cases of suspected abuse and allegations.

### **Understanding the views of children**

The JMAT and its staff understands how important it is that children feel heard and understood, and that the child is always placed at the centre of our policy and procedure. We encourage an ethos of listening to children and taking account of their wishes and feelings.

A child-centred and listening culture throughout our schools will be achieved through training and information, to ensure staff have an appreciation of the difficulties children may have in approaching staff about their circumstances and worries and are aware of how to build trustful and respectful relationships with children which enable communication.

### **Protocol for responding to self-harm in school**

Self-harm is when someone hurts or injures themselves. It can be used to describe cutting, scratching, burning, taking overdoses, punching oneself, substance abuse, self-poisoning, etc. In some cases, this can be a continuum ranging from a behaviour which has strong suicidal intent to behaviour which is part of a coping mechanism.

The DSL in each school is responsible for ensuring that staff members are aware of how to recognise and respond to self-harm, and how to report and record all instances on the child's safeguarding chronology. The protocol includes:

- listening to the disclosure in a calm and non-judgemental way
- reporting the self-harm to the DSL as soon as possible\*
- being aware of any health and safety/first aid needs around the incident.

The DSL will keep accurate records of the incidents, liaise with local services and contact parents at the appropriate time, including signposting if necessary.

\*An incident of self-harm should be recorded on RecordMy as a red safeguarding concern, however, if the self-harm necessitates first aid, it should also be recorded as Level 1 incident on the health and safety category also.

### **Children with a social worker**

We recognise that when a child has a social worker, it is an indicator that the child is more at risk than most pupils. This may mean that they are more vulnerable to further harm, as well as facing educational barriers to attendance, learning, behaviour and poor mental health.

We take these needs into account when making plans to support pupils who have a social worker.

## **5. What is Abuse?**

Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children. Abuse may fall into a number of categories:

**Physical abuse:** a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

**Emotional abuse:** the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

**Sexual abuse:** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse.

**Neglect:** the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

**The Trust and its staff has a zero-tolerance approach to all types of abuse, including child on child Abuse.**

**Specific safeguarding issues are:**

### **Mental Health**

JMAT staff are aware that mental health problems can, in some cases, be an indicator that a child has or is at risk of suffering abuse, neglect or exploitation. Staff are well placed in their daily contact with children to be able to identify behaviour that suggests they may be developing or have a mental health problem.

Staff are also aware of the long term and lasting impact that abuse, neglect and adverse childhood experiences can have on children, and that this can affect their mental health, behaviour and education.

If staff have a mental health concern for a child that is also a safeguarding concern, they must take immediate action by following the child protection procedures and speaking to the DSL. All concerns must be logged on RecordMy, along with the actions taken.

### **Criminal Exploitation of Children (CCE)**

The criminal exploitation of children (CCE) is a geographically widespread form of harm that typically crosses county boundaries. Like other forms of abuse and exploitation, this can affect any child under the age of 18, appear consensual and could involve violence or threats of violence and enticement.

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence.

The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology.

### **County Lines**

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more different urban or rural areas, using dedicated mobile phone lines or other form of "deal line".

Exploitation is an integral part of the county lines offending model with children groomed and exploited to move [and store] drugs and money from urban areas to suburban areas, rural areas and market and seaside towns. Gangs use coercion, intimidation, violence, sexual violence and weapons to ensure the compliance of their victims.

Staff members who suspect a pupil may be vulnerable to, or involved in, this activity will immediately report all concerns to the DSL.

The DSL will consider referral to the National Referral Mechanism on a case-by-case basis. Indicators that a pupil may be victims of criminal exploitation include the following:

- Persistently going missing or being found out of their usual area
- Unexplained acquisition of money, clothes or mobile phones
- Excessive receipt of texts or phone calls
- Relationships with controlling or older individuals or groups
- Leaving home without explanation
- Evidence of physical injury or assault that cannot be explained
- Carrying weapons
- Sudden decline in school results
- Becoming isolated from peers or social networks
- Self-harm or significant changes in mental state
- Parental reports of concern

### **Child Sexual Exploitation (CSE)**

CSE is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can occur through the use of technology.



CSE can occur in all communities and amongst all social and ethnic groups and can affect girls and boys. Children as young as 8 years have been identified, particularly in relation to online concerns. CSE is a complex form of abuse and it can be difficult for those working with children to identify and assess however, all those working in our school are made aware of the potential indicators of grooming and exploitation and how to refer concerns on appropriately.

### **Child on Child Abuse**

Child on child abuse occurs when a young person is exploited, bullied and/or harmed by their peers who are the same or similar age; everyone directly involved in child on child abuse is under the age of 18. 'Child on child' abuse can relate to various forms of abuse (not just sexual abuse and exploitation), and crucially it does not capture the fact that the behaviour in question is harmful to the child perpetrator as well as the victim. Child on child abuse may not just occur within a child's peer group, but also family members, siblings, etc.

Key areas where child on child abuse occurs are:

- Online
- Racist, religious, disability and homophobic or transphobic abuse
- Gender based violence/violence against girls and young women
- Teenage relationship abuse
- Issues relating to gang activity and youth violence
- Sexual harassment and sexual violence, including texting and harmful sexual behaviour

Further information about child-on-child abuse is included in the JMAT Child on Child Abuse policy.

### **Honour-based Abuse and Forced Marriage**

So-called 'honour-based' abuse (HBA) encompasses crimes which have been committed to protect or defend the honour of the family and/or the community, including Female Genital Mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of so called HBA are abuse (regardless of the motivation) and should be handled and escalated as such. Where staff are concerned that a child might be at risk of HBA, they must contact the Designated Safeguarding Lead as a matter of urgency.

Since February 2023 it has also been a crime to allow or facilitate a child to marry before their eighteenth birthday, even if violence, threats or another form of coercion are not used. As with the existing forced marriage law, this applies to non-binding, unofficial 'marriages' as well as legal marriages.

### **Female Genital Mutilation (FGM)**

Female genital mutilation refers to procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons. The practice is illegal in the UK. FGM typically takes place between birth and around 15 years old; however, it is believed that the majority of cases happen between the ages of 5 and 8.

FGM may be likely if there is a visiting female elder, there is talk of a special procedure or celebration to become a woman, or parents wish to take their daughter out-of-school to visit an 'at-risk' country (especially before the summer holidays), or parents who wish to withdraw their children from learning about FGM.

The JMAT has due regard to the **mandatory reporting duty** required by the FGM Act 2003, which places a **statutory duty** on all teachers, along with social workers and healthcare professionals, to personally report to the police where they discover that FGM appears to have been carried out on a girl under 18 years. Support staff in school would report their concerns directly to the DSL.

### **Preventing Radicalisation and Extremism (Prevent Duty)**

The JMAT has due regard to the **Prevent Duty** Guidance 2015, under Section 26 of the Counter-Terrorism and Security Act 2015, which aims to prevent children and young people from being drawn into extremism and terrorism.

We will engage with parents and families as we are in a key position to spot signs of radicalisation and we will assist and advise those families who do raise concerns and point them in the direction of support mechanisms ie, the Local Authority, Police and/or the **Channel Programme**.

As with other safeguarding risks, staff will be alert to changes in children's behaviour which could indicate that they may be in need of help or protection. Staff will use their judgement in identifying children who might be at risk of radicalisation and act proportionately, including referral to Channel.

**Channel** is a programme which focuses on providing support at an early stage to children and young people who are identified as being susceptible to being drawn into terrorism. It provides a mechanism for schools to make referrals if they are concerned that an individual might be vulnerable to radicalisation. Referrals to the Channel Panel are generally made via the local authority's Children's Social Care.

More information on Prevent and Channel is contained in Annex A of Keeping Children Safe in Education and on the local safeguarding partnerships procedures online.

### **Homelessness**

The DSL and deputy(s) will be aware of the contact details and referral routes in to the Local Housing Authority so that concerns over homelessness can be raised as early as possible.

Indicators that a family may be at risk of homelessness include the following:

- Household debt
- Rent arrears
- Domestic abuse
- Anti-social behaviour
- Any mention of a family moving home because "they have to"

Being homeless can also include sofa surfing, being put up by family and friends, etc. Referrals to the Local Housing Authority do not replace referrals to children's social care where a child is being harmed or at risk of harm.

### **Private fostering**

A Private Fostering arrangement is one that is made privately (without the involvement of a local authority) for the care of a child under the age of 16 years (under 18 if disabled) by someone other than a parent or close relative, in their own home, with the intention that it should last for 28 days or more.

A close family relative is defined as a 'grandparent, brother, sister, uncle or aunt' and includes half-siblings and step-parents; it **does not** include great-aunts or uncles, great grandparents or cousins.

Parents and private foster carers both have a legal duty to inform the relevant local authority at least six weeks before the arrangement is due to start; not to do so is a criminal offence.

Whilst most privately fostered children are appropriately supported and looked after, they are a potentially vulnerable group who should be monitored by the local authority, particularly when the child has come from another country. In some cases, privately fostered children are affected by abuse and neglect, or be involved in trafficking, child sexual exploitation or modern-day slavery.

School staff should notify the designated safeguarding lead when they become aware of private fostering arrangements. The designated safeguarding lead will speak to the family of the child involved to check that they are aware of their duty to inform the LA. On admission to the school, we will take steps to verify the relationship of the adults to the child who is being registered.

Where school becomes aware of a pupil being privately fostered, we will exercise our mandatory duty to notify the LA as soon as possible to allow the LA to conduct any necessary checks.

### **Pupils with family members in prison**

Pupils with a family member in prison will be offered pastoral support as necessary.

They will receive a copy of '[Are you a young person with a family member in prison](#)' from Action for Prisoners' Families where appropriate for pupil's age and allowed the opportunity to discuss questions and concerns.

### **Pupils required to give evidence in court**

Pupils required to give evidence in criminal courts, either for crimes committed against them or crimes they have witnessed, will be offered appropriate pastoral support.

Pupils will also be provided with the booklet '[Going to Court](#)' from HM Courts and Tribunals Service (HMCTS) where appropriate and allowed the opportunity to discuss questions and concerns.

### **Contextual safeguarding**

School staff, particularly the DSL and their deputy(s), are aware that the children in our schools may face additional extra-familial risks, this is the risk of harm to a child outside their home environment..

Working Together to Safeguard Children, 2018 states that, "These extra-familial threats might arise at school and other educational establishments, from within peer groups, or more widely from within the wider community and/or online. These threats can take a variety of different forms and children can be vulnerable to multiple threats, including:

- exploitation by criminal gangs and organised crime groups such as county lines
- trafficking
- online abuse
- teenage relationship abuse
- sexual exploitation
- the influences of extremism leading to radicalisation

Assessment of pupils' behaviour will consider whether there are wider environmental factors that are a threat to their safety and/or welfare.

At Wath Victoria we have a predominant 'white right' presence. We are aware through effective liaison with the local police that county line gangs operate locally. There is also a local issue with the cultivation and distribution of cannabis alongside arson.

Local features which may pose a risk to our children and families are; the site situation on a main road and close proximity to local parks and recreational facilities. We work closely with emergency services and companies to teach our children about risks

The school will provide as much contextual information for the child as possible when making referrals to social care.

### **Online Safety**

The predominant issues associated with online safety are:

- Content – exposure to illegal, harmful or inappropriate material
- Contact – harmful online interaction with others
- Conduct – online behaviour that increases the likelihood, or causes, harm

The JMAT and its schools recognises that today's pupils are growing up in an increasingly complex world, living their lives seamlessly on and offline. This presents many positive and exciting opportunities, but also challenges and risks. The JMAT Online Safety Policy and day-to-day online e-safety procedures have due to regard to the most recent DFE non-statutory guidance entitled 'Teaching online safety in school' (June 2019) this helps teach our pupils how to stay safe online, within both new and existing school subjects (including Relationships Education, Relationships and Sex Education, Health Education, Citizenship and Computing). We teach pupils about the underpinning knowledge and behaviours that can them to navigate the online world safely and confidently regardless of the device, platform or app.

As technology constantly evolves, along with the risks and harms related to it, the JMAT will carry out an **annual** review of online safety with JMAT IT Lead. This will link to appropriate risk assessments, where necessary, to reflect the risks that children face.

The JMAT will ensure that suitable filtering and monitoring systems are in place to prevent children accessing unsuitable or inappropriate material, including that relating to terrorist and extremist, in accordance with the school's **Online Safety Policy**, and that the use of filtering and monitoring systems does not cause "over blocking" which lead to unreasonable restrictions as to what pupils may be taught regarding online teaching.

The use of mobile phones by staff and pupils is closely monitored by the school, in accordance with the **Online Safety Policy and Social Media Policy**.

### **Youth Produced Sexual Imagery (Sexting)**

The increase in the speed and ease of sharing imagery has brought concerns about children and young people producing and sharing sexual imagery of themselves and also sending or receiving sexually explicit text messages. This can expose them to risks, particularly if the imagery/text is shared further, including embarrassment, bullying and increased vulnerability to sexual exploitation. The production and sharing of sexual images of under 18s is also illegal.

KCSIE says 'Consensual image sharing, especially between young people of the same age, may require a different response. It might not be abusive - but young people still need to know it is illegal - whilst non-consensual is illegal and abusive.' A safeguarding concern such as sharing an indecent image will be dealt with on a case to case basis, in consultation with the children concerned, parents and other agencies as appropriate, for example police or social care.

At the JMAT, we understand the responsibility to educate our pupils about all online safety issues; teaching them the appropriate behaviours and critical thinking skills to enable them to remain both safe and legal when using the internet and related technologies, in and beyond the context of the classroom. Further information on this is found in our **Online Safety Policy**.

### **Sexual Activity and the under 18s**

The age of consent for all sex is 16, whether straight, gay, Trans or bi-sexual. The Sexual Offences Act 2003 makes it easier to prosecute people who pressure or force others into sexual activity.

#### **Under 13s**

A child under 13 does not, under any circumstances, have the legal capacity to consent to any form of sexual activity. In all cases where the sexually active young person is under the age of 13, there must be a formal recorded consultation with the Children Social Care.

### **Children with Special Educational Needs and Disabilities (SEND)**

The JMAT understands that children with special educational needs and disabilities (SEND) can face additional safeguarding challenges. Additional barriers can exist when recognising abuse and neglect in this group of children. This can include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child's disability without further exploration;
- Children with SEND can be disproportionately impacted by things like bullying without outwardly showing any signs;
- Communication barriers and difficulties in overcoming these barriers.

Where there are any concerns raised about the safety and welfare of a child with SEND in one of the JMAT schools, we will ensure that these will be treated in the same way as with any other child, with careful consideration of any additional needs. The LAC Policy can be found on the school website and RecordMy.

### **Children who are Looked After (CLA)**

Each school in the JMAT has a named designated teacher for Children who are Looked After who works closely with the Virtual School Team and the Local Authority. We have a separate LAC policy which gives further detail about LAC procedures.

The Designated Teacher for LAC in this school is Miss L Pearson

### **Children Missing from Education, and Children Absent from Education over a prolonged period of time**

All children, regardless of their circumstances, are entitled to a full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have to reach their potential. Local authorities have a duty to establish, as far as it is possible to do so, the identity of children of compulsory school age who are missing education in their area.

A child going absent or missing from school is a potential indicator of abuse or neglect and, as such, these children are increasingly at risk of being victims of harm, exploitation or radicalisation.

Knowing where children are during school hours is an extremely important aspect of safeguarding. Missing school can be an indicator of abuse and neglect and may also raise concerns about others safeguarding issues, including the criminal exploitation and/or the radicalisation of children.

We monitor attendance carefully and address poor or irregular attendance without delay.

We will always follow up with parents/carers when pupils are not at school. This means we need to have four up to date contacts numbers for parents/carers. Parents should remember to update the school as soon as possible if the numbers change. If a child does not present at school by the close of the morning register, staff will initiate first day calling procedures and make every effort to contact parents/carers on the contact list. If they have not ascertained a reason for the child's absence by the start of the afternoon session, then a home visit will be carried out by two members of school staff. If this visit proves to be unsuccessful and the child still hasn't been seen by school staff, the DSL will contact police to request a safe and well check.

In response to the guidance in Keeping Children Safe in Education the school has:

1. Staff who will monitor pupils that are absent or go missing from the school, particularly on repeat occasions, and report them to the DSL following normal safeguarding procedures.
2. Appropriate policies, procedures and responses for pupils who are absent or go missing from education (especially on repeat occasions) in place.
3. Staff who know the signs and triggers for travelling to conflict zones, FGM and forced marriage.

We will ensure that pupils who are expected to attend the school, but fail to take up the place will be referred to the local authority.

When a pupil leaves the school, we will record the name of the pupil's new school and their expected start date.

The school will inform the LA of any pupil who fails to attend regularly or has not returned after 10 days following a period of authorised absence. After an authorised absence or a period of 20 days unauthorised absence the children will be placed on the out of school/CME register, unless there is evidence to show the child is elsewhere.

### **Serious violence**

All JMAT staff, through training, will be made aware of the indicators which may signal that a pupil is at risk from, or is involved with, serious violent crime. These indicators include, but are not limited to, the following:

- Increased absence from school
- A change in friendships
- New relationships with older individuals or groups

- A significant decline in academic performance
- Signs of self-harm
- A significant change in wellbeing
- Signs of assault
- Unexplained injuries
- Unexplained gifts or new possessions

If any staff member suspects that a child may be vulnerable to, or involved in, serious violent crime will report it immediately to the DSL.

### **Children witnessing domestic abuse**

Witnessing domestic abuse is really distressing and scary for a child, and causes serious harm. Children living in a home where domestic abuse is happening are at risk of other types of abuse too. Children can experience domestic abuse or violence in lots of different ways. They might:

- see the abuse
- hear the abuse from another room
- see a parent's injuries or distress afterwards
- be hurt by being nearby or trying to stop the abuse

The Domestic Abuse Act 2021 recognises that children are victims of domestic abuse in their own right.

The definition of domestic abuse applies to children if they see or hear, or experience the effects of, the abuse and they are related to the abusive person.

Types of domestic abuse include intimate partner violence, abuse by family members, teenage relationship abuse and child/adolescent to parent violence and abuse. Anyone can be a victim of domestic abuse, regardless of sexual identity, age, ethnicity, socio-economic status, sexuality or background and domestic abuse can take place inside or outside of the home.

### **Operation Encompass**

The purpose of Operation Encompass is to safeguard and support children who have been involved in or witness to a domestic abuse incident.

JMAT schools take an active role in **Operation Encompass** and use a secure email system which local safeguarding partners can use to inform the designated safeguarding lead (key adult) when a domestic abuse incident has been recorded within the previous 24 hours or over the weekend. This will enable school to monitor the child(ren) possibly affected and, where required, support if necessary for children who have been involved in, affected by, or witnessed a domestic abuse incident.

Our Key Adult for Operation Encompass emails is: Mrs D Mackinnon

## **6. Admissions register**

Pupils are placed on the admissions register at the beginning of the first day that is agreed by the school, or when the school has been notified that the pupil will first be attending.

The school will notify the LA within five days of when a pupil's name is added to the admissions register. The school will ensure that the admissions register is kept up-to-date and accurate at all times and will inform parents when any changes occur.

Four emergency contact details will be held for each pupil where possible.

Staff will monitor pupils who do not attend the school on the agreed date and will notify the LA at the earliest opportunity.

### **First Day Calling Procedures**

It is expected that JMAT schools have robust 'first day calling' procedures for when a child has not arrived at school within the expected time frame. DfE recommendations are that schools hold 4 emergency

contact numbers for all pupils. It is required that clear time scales are in place to ascertain a reason for non-attendance, this should include an escalation of action to be taken, including that of a home visit where appropriate. A home visit must be carried out by two members of staff, lone visits to a child's home are not permitted by the Trust. It is expected that pupil contact information is shared within school with appropriate staff and that a designated staff member is appointed to follow the 'first day calling' procedures. Expectations are that JMAT schools are aware of the reason for absence of the child before the start of the afternoon session. If this cannot be ascertained, school must consider whether a request to the police for a safe and well check is necessary.

## **7. Safeguarding and Drones/Unmanned Aircraft**

Drones are becoming increasingly prevalent and the JMAT appreciates that they allow for the capture of useful video footage that may offer benefits for a wide range of activities. However, safety and the safeguarding of our pupils is our overriding concern, therefore the use of drones is prohibited in and around school unless it is with the written consent of the Headteacher under the legal guidelines.

If there are any concerns about unmanned aircraft being used around any of the JMAT's schools, either from a safety or privacy perspective, staff will report this to the police on 101, with the drone's registration number if possible.

## **8. Parental responsibility**

The welfare of the child is the paramount consideration for JMAT schools. In the event of a concern being raised where school is unclear how to act, legal advice will be sought to ensure that a parent's rights and responsibilities are not infringed and the actions of the JMAT and its schools are fully compliant with the law. This includes both family law and education law.

For the purposes of **education law** (Section 576 of the Education Act 1996), the department considers a 'parent' to include:

- all biological parents, whether they are married or not
- any person who, although not a biological parent, has parental responsibility for a child - this could be an adoptive parent, a step-parent, guardian or other relative
- any person who, although not a biological parent and does not have parental responsibility, has care of a child

A person typically has care of a child if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

**Example** -This may be a foster carer or family and friends carer who does not have parental responsibility but has been delegated the responsibility for taking day-to-day decisions about the child.

### **What is parental responsibility?**

In **family law**, parental responsibility means all the rights, duties, powers, responsibilities and authority that a parent has in relation to the child.

A person with parental responsibility can make decisions about the child's upbringing and is entitled to information about their child. For example, they can give consent to the child's medical treatment and make decisions about the child's education. They also have the right to receive information about their child's health and education.

### **Who has parental responsibility?**

A child's birth mother (the person who carried the child) has parental responsibility unless it's removed by an adoption order or a parental order following surrogacy.

Where a child's father and mother were married to each other at the time of the child's birth or by registering the child's birth jointly with the mother they each have parental responsibility for the child.

Where two female parents have a child through fertility treatment, the mother's female partner is treated in the same way as a father. She has parental responsibility if she is married to or in a civil partnership with

the mother at the time of the treatment (or if the two women agree in writing that she will be the child's second parent). She can also acquire parental responsibility in the same way that a child's father can.

### **General principles for schools**

Everyone who is a parent, as recognised under education law, can participate in their child's education.

All parents can also receive information about the child, even though, for day-to-day purposes, the school's main contact is likely to be a parent with whom the child lives on school days.

Individuals who have parental responsibility for, or care of, a child have the same rights as biological parents.

School must treat all parents equally, unless a court order limits a parent's ability to make educational decisions, participate in school life or receive information about their children.

All parents also have legal obligations. For example, to ensure that a child of compulsory school age receives a suitable full-time education.

Where a parent's action, or proposed action, conflicts with school's ability to act in the child's best interests, the school should try to resolve the problem with that parent but avoid becoming involved in conflict. However, there may be occasions when school needs to decline requests for action from one or more parents.

### **Obtaining consent**

Where schools need parental consent to outings and activities, the headteacher should seek the consent from the resident parent unless the decision is likely to have a long-term and significant impact on the child, or the non-resident parent has requested to be asked for consent in all such cases.

In cases where school considers it necessary or has been asked to seek consent from both parents, you may wish to assume that parental consent has not been given unless all parents agree. Such an approach ensures that school has treated the views of each parent equally and will also help to safeguard the position of school in terms of exposure to any potential civil liability where, for example, the child is injured while on a school trip.

### **Medical treatment – seeking consent following accident or injury**

Schools may experience problems when a child has had an accident and consent might be needed for emergency medical treatment. The **Children Act 1989** provides that people who do not have parental responsibility but nonetheless have care of a child may:

'...do what is reasonable in all the circumstances of the case for the purpose of safeguarding or promoting the child's welfare.'

This would allow schools to act 'in loco parentis', in place of a parent, or allow them to seek consent from a parent who may not hold parental responsibility.

It would clearly be reasonable for a school to take a child who needs to have a wound stitched up to hospital, but the parents, including the non-resident parent who has asked to be kept informed of events involving the child, should be informed as soon as possible.

### **Elective Home Education and parental consent**

Keeping Children Safe In Education says that:

'where a parent/carer has expressed their intention to remove a child from school with a view to educating at home, **we recommend that LAs, schools, and other key professionals work together to coordinate a meeting with parents/carers where possible.** Ideally, this would be before a final decision has been made, to ensure the parents/carers have considered what is in the best interests of each child. This is particularly important where a child has SEND, is vulnerable, and/or has a social worker.'



When a parent(s) has expressed their intention to home educate the school must have the agreement of BOTH parents, if they share parental responsibility. If both parents are not present at the EHE meeting then their agreement must be in writing. If there is no agreement, and there is court order to resolve it, school must retain a copy of the court order.

### **9. Early Help and support for children in need:**

Early help means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years. We will work with local agencies to put processes in place for the effective assessment of the needs of individual children who may benefit from early help services.

Any pupil may benefit from early help, but in particular staff will be alert to the potential need for early help for pupils who:

- Have SEND (whether or not they have a statutory EHC plan).
- Are young carers.
- Show signs of being drawn into anti-social or criminal behaviour, including gang involvement and association with organised crime groups.
- Show signs of deteriorating mental health and emotional well-being
- Are frequently missing/going missing from care or from home.
- Misuse drugs or alcohol.
- Are at risk of modern slavery, trafficking or exploitation.
- Are in a family circumstance presenting challenges such as substance abuse, adult mental health problems or domestic abuse
- Are returned home to their family from care.
- Show early signs of abuse and/or neglect.
- Are at risk of being radicalised or exploited.
- Are privately fostered.
- May be homeless
- Have a parent/carer in custody

Early help will also be used to address non-violent harmful sexual behaviour to prevent escalation. All staff will be made aware of the local early help process and understand their role in it.

### **10. Safer Recruitment**

We will follow relevant guidance in *Keeping Children Safe in Education September* (Part 3 Safer Recruitment) and from The Disclosure and Barring Service (DBS):

- We will ensure governors and staff on recruitment panels undertake all appropriate safer recruitment training
- Our selection and recruitment policy will include all appropriate checks on staff and suitability including DBS checks. With regard to the recruitment of volunteers our policy will be rigorous and follow DBS guidance taking into account regulated (see Appendix 1) and supervised activity
- We will ensure that all adults within the JMAT who have access to children have been checked as to their suitability
- We will ensure that all staff and volunteers have read the staff behaviour policy (code of conduct) and understand that their behaviour and practice needs to be in line with it.

Each school will maintain a Single Central Register of all safer recruitment checks carried out in line with statutory requirements. The Single Central Register will contain information on all staff members (this includes contractors and supply staff) on the following:

- An identity check
- A barred lists check
- An enhanced DBS check/certificate
- An overseas check if required
- A prohibition from teaching check
- A section 128 check (for management positions in independent schools (including free schools and academies))
- A check of professional qualifications
- A check to establish the person's right to work in the UK
- Further checks on people who have lived or worked outside the UK

## **11. Safer Working Practice**

All adults who come into contact with our children have a duty of care to safeguard and promote their welfare. There is a legal duty placed upon us to ensure that all adults who work with or on behalf of our children are competent, confident and safe to do so.

All adults working in school will be provided with a copy of the relevant Code of Conduct at induction, to include guidance on physical intervention. They will be expected carry out their duties in accordance with this advice. There will be occasion when some form of physical contact is inevitable, for example if a child has an accident or is hurt or is in a situation of danger to themselves or others around them. However, at all times the agreed policy for physical intervention must be adhered to. A list of staff that has accessed training will be kept by the Headteacher.

If staff, visitors, volunteers or parent helpers are working with children alone they will, wherever possible, be visible to other members of staff. They will be expected to inform another member of staff of their location in school, who they are with and for how long.

Guidance about acceptable conduct and safe practice will be given to all staff and volunteers during induction. These are sensible steps that every adult should take in their daily professional conduct with children. This advice can be found in the guidance document '*Safer working practices for adults who work with children and young people*' (*Safer Recruitment Consortium, May 2019*). All staff and volunteers are expected to carry out their work in accordance with this guidance and will be made aware that failure to do so could lead to disciplinary action.

### **Visitors to school**

All visitors to school should be pre-arranged as far as possible. They will be asked to sign in to school using the paper/electronic system for fire and security purposes, and will be asked to produce photo ID and a DBS, if required.

All visitors will be required to wear an ID badge whilst on school grounds. This should be visible at all times. Visitors without identification badges should be politely challenged by school staff.

Visitors who represent organisations and/or are self-employed should have their own safeguarding and child protection policy and procedures. School can ask to see these in advance to ensure they meet JMAT standards.

### **Unplanned Visitors**

Ensure reception staff are aware of any visitor expected to come into school. Ideally, all visitors should be by appointment only.

### **Home visits by school staff**

If a home visit becomes necessary to ascertain the whereabouts of a child or follow up on a safeguarding concern, the visit must:

- Involve two members of school staff (paired visit), one of who should be the DSL or Deputy.
- Staff should ensure they take phones and/or alarms
- Ensure that staff sign in/out of school
- Home visit and any interactions must be recorded on the child's chronology on Recordmy

If there are concerns about conducting a home visit - a dynamic risk assessment will be undertaken (for example, if there have been previous concerns with aggression, domestic abuse, etc).

Further details of lone working can be found in them JMAT Health and Safety Policy.

### **Transporting pupils in staff cars**

The guiding principle should be that transporting children/young people in staff cars should be the exception to the rule rather than the norm, unless it is an accepted part of a member of staff's role and included in their job description.

Any journeys undertaken should always be planned, absolutely necessary and not undertaken on an ad hoc basis and must be authorised by the Headteacher. In certain circumstances children/young people may need to be transported in an emergency situation, however it is anticipated that these instances would be rare.

In situations where staff are required to transport children in their own vehicles, they must ensure they:

- Have an appropriate valid driving license
- Are insured for the journey (Business Use)
- Have valid MOT certificate and road tax
- Have checked the vehicle is in a roadworthy condition
- Meet minimum eyesight standards for driving
- Have no medical condition including the taking of medication or infirmity that may affect their ability to drive safely
- The car is equipped with the appropriate car seats in line with legal requirements for age/weight/height of a child(ren).

Parents must give their permission for children/young people to be transported in a staff member's vehicle, where this necessary. Every effort should be made to gain written consent but where this not practically possible; details of the verbal consent should be recorded on RecordMy. If consent is not obtained, transportation should not be permitted, unless in an emergency.

A risk assessment should be completed for transporting children, this includes behaviour or medical issues (child), safety features such as car risks, child locks, etc and other risks and mitigations.

## **12. Staff suitability**

The JMAT must ensure that staff and volunteers providing care for pupils under the age of eight are not disqualified from doing so under the Childcare (Disqualification) Regulations 2006. A person may be disqualified if they:

- Have certain orders or other restrictions placed upon them.
- Have committed certain offences.

A disqualified person will not be permitted to continue working at the school, unless they apply for and are granted a waiver from Ofsted. The school will provide support with this process.

## **13. Managing Allegations against Staff (including governors, volunteers, supply teachers and agency staff)**

The JMAT promotes an open and transparent culture in which **all** concerns about staff (including **low level concerns**) are shared with the DSL/Headteacher and are recorded and dealt with appropriately. We aim

to identify and address concerning, problematic or inappropriate behaviour early in order to minimise the risk of abuse. It is our intent (through training and raising awareness) to ensure that the staff working in JMAT schools are clear about their professional boundaries and act in accordance with the ethos and values of the Trust.

Our aim is to provide a safe and supportive environment which secures the well-being and very best outcomes for the children at our school. We recognise that sometimes the behaviour of adults may lead to an allegation of abuse being made. Any allegations of abuse made against staff members will be dealt with in accordance with the JMAT's Allegations of Abuse Against Staff Policy.

It's essential that any allegation of abuse against a member of staff in school is dealt with very quickly in a fair and consistent way that provides protection for the child, whilst at the same time supports the person who is the subject of the allegation.

Any allegations against staff (including governors, volunteers, supply teachers and agency staff) that indicate that they may have:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children (transferable risk)

will be reported immediately to the Headteacher or the Designated Safeguarding Lead if the Headteacher is not present. The Headteacher will inform the Local Authority Designated Officer (LADO) following the guidance in *KCSIE*.

If the allegation concerns the Headteacher, the person receiving the allegation will immediately inform the Chair of Governors who will consult as above, without notifying the Headteacher first.

Any member of staff or volunteer who does not feel confident to raise their concerns with the Headteacher or Chair of Governors should contact the Local Authority LADO.

The name of any member of staff considered not suitable to work with children will be referred to the Disclosure and Barring Service (DBS) with the advice and support of Human Resources and in accordance with the DBS Referral Policy.

#### **14. Child on Child Abuse (including sexual violence/assault and sexual harassment)**

All staff will be aware any child-on-child abuse is unacceptable, that pupils are capable of abusing their peers, and will never tolerate abuse as "banter" or "part of growing up".

The JMAT is aware that child on child abuse can be manifested in many different ways, including sexting and gender issues, such as girls being sexually touched or assaulted, and boys being subjected to hazing/initiation type of violence, which aims to cause physical, emotional or psychological harm.

Please see separate Child on Child Abuse policy for full details.

#### **15. Communication and confidentiality**

All child protection and safeguarding concerns will be treated in the strictest of confidence in accordance with school data protection policies.

The updated Working Together to Safeguard Children (2020) guidance clarifies that the Data Protection Act 2018 and General Data Protection Regulations (GDPR) **do not** prevent the sharing of information for the

purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare and protect the safety of children.

Consent is not required when sharing information for the safeguarding and protecting the welfare of a child. It is also stated that, while encouraged, the agreement of the child and parents is not required to share information, though it is important to explain the reasons for this.

School must be proactive with sharing information as early as possible to help identify, assess and respond to risks or concerns about the safety and welfare of a child.

Where there is an allegation or incident of sexual abuse or violence, the victim is entitled to anonymity by law; therefore, the school will consult its policy and agree what information will be disclosed to staff and others, in particular the alleged perpetrator and their parents.

Where a report of sexual violence or sexual harassment is progressing through the criminal justice system, the school will do all it can to protect the anonymity of the pupils involved in the case.

Concerns will only be reported to those necessary for its progression and reports will only be shared amongst staff members and with external agencies on a need-to-know basis.

During disclosure of a concern by a pupil, staff members will not promise the pupil confidentiality and will ensure that they are aware of what information will be shared, with whom and why. Depending on the nature of a concern, the DSL will discuss the concern with the parents of the pupils involved.

Discussions with parents will not take place where they could potentially put a pupil at risk of harm. Discussion with the victim's parents will relate to the arrangements being put in place to safeguard the victim, with the aim of understanding their wishes in terms of support arrangements and the progression of the report.

Where it is in the public interest, and protects pupils from harm, information can be lawfully shared without the victim's consent, e.g. if doing so would assist the prevention, detection or prosecution of a serious crime. Before doing so, the DSL will weigh the victim's wishes against their duty to protect the victim and others.

Where confidentiality or anonymity has been breached, the school will implement the appropriate disciplinary procedures as necessary and will analyse how damage can be minimised and future breaches be prevented.

## **16. Training and Induction**

When new staff, volunteers or regular visitors join the JMAT they will be informed of the safeguarding arrangements in place. They will be given a copy of the JMAT's Safeguarding and Safeguarding and Child Protection policy along with the Staff Code of Conduct and the DSL will be identified for that school.

Every new member of staff or volunteer will have an induction period that will include essential safeguarding information. This programme will include basic safeguarding information relating to signs and symptoms of abuse, how to manage a disclosure from a child, how to record this information and discuss issues of confidentiality. The induction will also remind staff and volunteers of their responsibility to safeguard all children at our school and the remit of the role of the Designated Safeguarding Lead. At induction, all staff will also be provided with a copy of Part One of *'Keeping Children Safe in Education'* and will be expected to read this, governors are expected to read Parts One and Two.

In addition to the safeguarding induction, all members of staff will undertake appropriate safeguarding training on a regular basis in accordance with *'Keeping Children Safe in Education'* and advice from local safeguarding partners.

All staff members will receive regular safeguarding and child protection training on specific issues as

required (including mandatory training renewed every 3 years), at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.

All regular visitors and volunteers will be given a set of our safeguarding procedures when they sign in using the electronic system (if applicable); they will be informed of whom our DSL and alternate staff members are and what the recording and reporting system is.

The DSL, the deputy DSL and any other senior member of staff who may be in a position of making referrals or attending child protection conferences or core groups will attend one of the multi-agency training courses organised by Rotherham/Doncaster LSCP at least once every two years. They will also receive regular safeguarding updates throughout the school year in order to keep up with any developments relevant to their role.

All school governors must also undertake training, appropriate to their role, to ensure they are able to carry out their duty to safeguard all of the children in the JMAT.

We actively encourage all of our staff to keep up to date with the most recent local and national safeguarding advice and guidance. The DSL will also provide regular safeguarding updates for staff.

## **17. Whistleblowing Policy**

Where there are concerns about the way that safeguarding is carried out in the school, staff should refer to the Whistle-blowing Policy.

A whistleblowing disclosure must be about something that affects the general public such as:

- a criminal offence has been committed, is being committed or is likely to be committed
- a legal obligation has been breached
- there has been a miscarriage of justice
- the health or safety of any individual has been endangered
- the environment has been damaged
- information about any of the above has been concealed.

The NSPCC runs a whistleblowing helpline on behalf of the government, the number is 0808 800 5000.

## **ROLES AND RESPONSIBILITIES**

### **18. The Board of Trustees**

The Board of Trustees of the James Montgomery Academy Trust are accountable for ensuring the effectiveness of this policy and our compliance with it. Although our Board of Trustees takes collective responsibility to safeguard and promote the welfare of our pupils, we also have a named Safeguarding Director who champions safeguarding within the JMAT.

The Board of Trustees will ensure that:

- The safeguarding policy is in place and is reviewed annually, is available publicly via the JMAT website and has been written in line with 'Keeping Children Safe in Education', LA advice and the requirements of the Local Safeguarding Partnership's policies and procedures
- Staff members have due regard to relevant data protection principles which allow them to share personal information
- The schools in the JMAT contribute to inter-agency working in line with Working Together to Safeguard Children (2018, amended 2020);
- The JMAT has due regard to the **Prevent Duty** Guidance 2015, under Section 26 of the Counter-Terrorism and Security Act 2015, which aims to prevent children and young people from being drawn into extremism and terrorism. This may include making a referral to the **Channel** programme which provides

a mechanism for schools to make referrals (via MASH) if they are concerned that an individual might be vulnerable to radicalisation.

- The JMAT has due regard to the **mandatory** reporting duty which came into force in October 2015, of the **Female Genital Mutilation Act 2003** which places a **statutory duty** on all teaching staff (along with social workers and healthcare professionals) to report to the police where they discover that FGM appears to have been carried out on a girl under 18 years.
- All staff receive a safeguarding induction and are provided with a copy of this policy, Part One of *'Keeping Children Safe in Education'* and the staff code of conduct.
- All staff undertake appropriate safeguarding and child protection training that is updated regularly; in addition, all staff members will receive safeguarding and child protection updates (for example, via e-mail, e-bulletins and staff meetings), as required, but at least annually, to provide them with relevant skills and knowledge to safeguard children effectively.
- Procedures are in place for dealing with allegations against members of staff and volunteers in line with Part Four of Keeping Children Safe in Education and local safeguarding partners online child protection procedures
- Safer recruitment practices are followed in accordance with the requirements of Part Three of *'Keeping Children Safe in Education'* and also local authority child protection procedures.
- They remedy without delay any weakness in regard to our safeguarding arrangements that are brought to their attention.

Safeguarding will be a standing item on Governing Body agendas. They will receive regular updates throughout the academic year and a minimum of one full safeguarding report from the Designated Safeguarding Lead. Updates and the report will show all safeguarding activity that has taken place, for example, meetings attended, reports written, training or induction given. It will not identify individual pupils.

## 19. The Headteacher

The Headteacher is responsible for:

- Identifying a member of the senior leadership team to be the Designated Safeguarding Lead (DSL)
- Identifying an alternate member of staff to act as the Deputy Designated Safeguarding Lead (DSL) in his/her absence to ensure there is always cover for the role
- Ensuring that the policies and procedures adopted by the JMAT/LGB, particularly concerning referrals of cases of suspected abuse and neglect, are followed by all staff
- Ensuring that all staff and volunteers feel able to raise concerns about poor or unsafe practice and such concerns are addressed sensitively in accordance with agreed whistle-blowing procedures
- Ensuring that all staff members use the electronic safeguarding system (RecordMy) accurately and effectively, and in a timely manner.
- Liaising with the LADO and MASH in the event of an allegation of abuse being made against a member of staff.
- Ensuring that all new staff and other adults working in school, upon induction, are provided with the Safeguarding Policy, relevant Code of Conduct, Part One of the latest *'Keeping Children Safe in Education'* guidance, and the identity of the DSL and any deputies.

## 20. The Designated Safeguarding Lead

The Designated Safeguarding Lead (DSL) will carry out their role in accordance with the responsibilities outlined in Annex C of *'Keeping Children Safe in Education'*. The DSL will provide advice and support to other

staff on child welfare and child protection matters. At least one other person in school is designated as the Deputy Safeguarding Lead, they will be responsible for the role if the DSL is absent.

The DSL will act as the main point of contact with local safeguarding partners and keep up to date with local safeguarding arrangements.

The DSL will take lead responsibility for promoting the educational outcomes of vulnerable children. They need to ensure that:

- Information is shared about welfare, safeguarding and child protection issues with teachers and leaders
- There is a particular focus on children with social workers
- Staff know who these vulnerable children are
- They understand these children's academic progress & attainment
- They maintain a culture of high aspirations for vulnerable children
- They support teaching staff to identify challenges these children may face and the academic support and adjustments that could be made
- Liaise with the mental health lead in school and, where available, the Mental Health Support Team when safeguarding concerns are linked to mental health

The DSL will undertake safeguarding training as recommended by the Local Safeguarding Children Partnership and update this training every two years. Additionally, the DSL will receive regular updates to safeguarding training via forums, e-bulletins, e-learning, etc.

The DSL will undertake Prevent awareness and Channel training, and ensure that staff receive Prevent training at induction.

The Trust Safeguarding Lead, in conjunction with the school DSL, will carry out regular safeguarding audits of JMAT schools to ensure compliance with all statutory requirements/guidance (s175/s157) and best practice as defined by DfE/Ofsted.

Through appropriate training, knowledge and experience the DSL will liaise with children's social care and other agencies where necessary, and make referrals of suspected abuse to children's social care, take part in strategy discussions and other interagency meetings and contribute to the assessment of children, including Early Help assessments.

The DSL will maintain accurate electronic records and child protection files ensuring that they are kept confidential and stored securely.

When a child leaves school, the DSL will make contact with the DSL at the new school and will ensure that the child protection file is forwarded to the receiving school in an appropriately agreed manner. The DSL will retain evidence to demonstrate how the file has been transferred; this may be in the form of a written confirmation of receipt from the receiving school and/or evidence of recorded delivery.

The DSL is responsible for ensuring that all staff members and volunteers are aware of our policy and the procedure they need to follow. They will ensure that all staff, volunteers and regular visitors have received appropriate child protection information during induction and have been trained to the appropriate level recommended by the local safeguarding children partnership.

All school staff must be aware that if the DSL or a Deputy DSL is not available, they should seek out a member of the SLT to discuss their concern with, or contact children's social care to seek advice.

## **21. Implementing Procedures for Reporting Abuse**

The JMAT will ensure that all schools:



- Have a member/s of staff who will act in the DSL's absence who have also received multi-agency training, and who will be familiar with the roles and responsibilities and know the procedures to follow
- Ensure each school in the JMAT has a nominated governor responsible for safeguarding who has been appropriately trained
- Ensure all staff, volunteers and governors understand their responsibilities in being alert to the signs of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection and the importance of reporting their concerns expeditiously.
- Ensure that all staff, volunteers and governors maintain an attitude of 'it could happen here' and when concerned about the welfare of a child always act in the best interest of the child.
- Ensure all staff are aware of the requirement to notify children's social care immediately if there is an unexplained absence of any pupil who is subject to a Child Protection Plan (or an absence which has been explained by a parent or carer but the school is concerned)
- Develop effective links with relevant agencies and co-operate as required with their enquiries regarding child protection matters including attendance at inter agency meetings, strategy meetings and case conferences
- Keep clear electronic records of concerns about children, even where there is no need to refer the matter immediately
- Ensure each school in the JMAT provides a systematic means of monitoring children known or thought to be at risk of harm, and ensure we, the school, contribute to assessments of need and support plans for those children
- Ensure all records are kept securely, separate from the main pupil file, and in locked locations, either electronically or in paper form.
- Ensure all staff understand the responsibility to safeguard children requires that we all appropriately share any concerns that we may have about children. This may include contacting Children's Social Care or the Local Authority Designated Officer (LADO) who will provide consultation and advice for anyone working with children
- Ensure that parents have an understanding of the responsibility placed on the school and staff for safeguarding and child protection by making the policy available to them and sharing safeguarding procedures
- Ensure all members of staff have an awareness of the main types of abuse including Neglect, and including specific safeguarding issues such as Child Sexual and Child Criminal Exploitation, Radicalisation/Prevent, Child on Child abuse and Honour-based Abuse, including FGM, and the indicators including mental health concerns.
- Ensure all members of staff are provided with safeguarding training about their responsibilities relating to safeguarding children
- Ensure that all members of staff are aware of their responsibilities under the Prevent Duty and the mandatory reporting duty in relation to Female Genital Mutilation
- Ensure that all staff members are aware of the systems within the school which support safeguarding – this should include the safeguarding policy, staff behaviour policy (*see Guidance for Safer Working Practice*), the identity of the Designated Safeguarding Lead and should be part of staff induction

- All staff members should read at least Part One of the latest KCSIE and this should be part of staff induction
- Ensure that all staff recognise that all matters relating to child protection are confidential and the Headteacher or DSL will disclose personal information about a pupil to other members of staff on a need to know basis only
- Ensure all staff must be aware that they have a professional responsibility to share information to other agencies in order to safeguard children and that they cannot promise a child to keep secrets which might compromise the child's safety or well-being, or that of another child.

## **22. Supporting Pupils who have been Abused**

The JMAT will ensure that all schools:

- Recognise that a child who is abused, who witnesses violence or abuse who lives in a violent or abusive environment may feel helpless and humiliated, may blame him/herself, and find it difficult to develop and maintain a sense of self-worth (*Working Together 2018, updated 2020*)
- Recognise that the school may provide the only stability in the lives of children who have been abused or who are at risk of harm
- Ensure these children are particularly closely monitored and supported and any concerns are recorded and reported to children's social care
- Ensure the DSL attends case conferences, core group, CIN and TAF meetings as necessary
- Implement a Personal Education Plan (PEP) for all Looked After Children and a Individual Education Plan (IEP) for other children where there is a need for specific support in school.

## **23. Establish a Safe Environment**

The JMAT will ensure that all schools will:

- Support the child's development in ways that will foster security, confidence and resilience in every aspect of school life including through the school curriculum
- Provide an environment in which children feel safe, secure, valued and respected, feel confident and know how to approach adults if they are in difficulties
- Ensure that children are educated about the expectations they should have relating to the behaviour of adults who work with them
- Develop effective working relationships with all other agencies involved in safeguarding children such as Social Care, the Police, Child and Adolescent Mental Health Services, specialist domestic abuse support service and domestic abuse Multi Agency Risk Assessment Conferences (MARAC)
- Ensure that we have a named Designated Teacher for Looked After Children and that we provide the best opportunities and support for children to achieve the best outcomes and participate in school life
- Contribute to the wider safeguarding agenda by working with the local community and following government guidance to help our children live in a safe environment
- Recognise that staff working in the schools in the JMAT who have become involved with a child who has suffered harm, or appears to be likely to suffer harm may find the situation stressful and

upsetting and we will support such staff by providing an opportunity to talk through their anxieties with the Designated Safeguarding Lead and to seek further support

- Ensure that other policies and publications which contribute towards safeguarding children are acted upon, reviewed and updated regularly and appropriate advice sought from relevant staff within the Local Authority in relation to them.

### **Use of the school premises for non-school activities/extra-curricular activities**

Where the school hires or rents out school facilities or the school premises to organisations or individuals, e.g. for providers to run community or extracurricular activities, it will ensure that appropriate arrangements are in place to keep pupils safe and that those providers meet the guidance in the DfE's guidance 'Keeping Children Safe in Out of School Settings from April 2022.

Where the school provides the activities under the direct supervision or management of school staff, child protection arrangements will apply. Where activities are provided separately by another body, this may not be the case; therefore, school will seek assurance that the body concerned has appropriate safeguarding and child protection policies and procedures in place, including inspecting these as needed.

The school will ensure safeguarding requirements are included in the lease or hire agreement/contract, as a condition of use and occupation of the premises, and specify that failure to comply with this would lead to termination of the agreement. The guidance on Keeping children safe in out-of-school settings details the safeguarding arrangements that school should expect these providers to have in place.

Extra-curricular activities and clubs hosted by external bodies will work in collaboration with the school to effectively safeguard pupils and adhere to local safeguarding arrangements. Staff and volunteers running extracurricular activities and clubs need to be aware of their safeguarding responsibilities and promote the welfare of pupils. Paid and volunteer staff need to understand how they should respond to child protection concerns and how to make a referral to social care or the police, if necessary.

If the school receives allegations related to an incident that 'happened when an individual or organisation was using their school premises for the purposes of running activities for children...the school should follow Trust safeguarding policies and procedures, including informing the LADO'.

### **24. When to call the police**

When to call the police addresses criminal activity, rather than safeguarding issues, which are addressed using the referral process and procedures. Contact with police should ideally be made by a single point of contact from the school. This may be the Headteacher or the DSL to ensure all the relevant information is shared and improve consistency of referrals.

When an incident occurs in which a crime has or may have been committed, the school needs to consider whether to involve the police. Many incidents can be dealt with and resolved internally. The school behaviour policy and codes of conduct will give further guidance on how to deal with and record such incidents.

For example, it is a criminal activity to leave a child alone in the home at the age of two. There's no legal age a child can be left home alone, but it's against the law to leave a child alone if it puts them at risk. In this situation, the DSL or Headteacher should report this occurrence to the police directly and immediately. Another example is for a parent to attempt to drive a car when under the influence of alcohol or drugs, again this situation should be reported directly to the police.

When the decision is made to report an incident to the police for investigation, due to the seriousness of the incident or for other aggravating circumstances, school should cease their own investigation, having asked only enough questions to establish the basic facts of the incident.

### **25. Relevant Policies**

To underpin the values and ethos of the JMAT and our intent to ensure that pupils are appropriately

safeguarded the following policies are also included under our safeguarding umbrella:

- Staff Code of Conduct
- Anti-Bullying
- Collection from School and Walking Home Alone
- Physical Intervention
- Behaviour
- Managing Allegations against Staff
- Child on Child Abuse
- Physical Intervention Policy (including use of reasonable force and searching of pupils)
- Safer Recruitment
- Mobile Phone
- Whistle-blowing
- Attendance
- Online Safety
- Social Media
- Health and Safety (including lone working and site security)
- Harassment and discrimination including racial abuse
- Meeting the needs of pupils with medical conditions
- Intimate Care
- First Aid
- Educational visits including overnight stay

## **26. Monitoring and review**

This policy is reviewed annually by the **Trust DSL**.

Any changes made to this policy by the above will be communicated to all members of staff. The policy is available for public view on the JMAT website.

All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme.

The next scheduled review date for this policy is **September 2024**.

## APPENDIX 1

### Regulated activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.

Regulated activity includes:

- a. teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children;
- b. work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly.<sup>66</sup> Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes:

- c. relevant personal care, or health care provided by or provided under the supervision of a health care professional:
  - o personal care includes helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability;
  - o health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

Regulated activity will **not** be:

- paid work in specified places which is occasional and temporary and does not involve teaching, training
- supervised activity which is paid in non-specified settings such as youth clubs, sports clubs etc.